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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/256,192	02/24/1999	MICHIYUKI YASUDA	2165.6	9534

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NEW YORK, NY 10112

EXAMINER

NGUYEN, KEVIN M

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 07/03/2002

18

Please find below and/or attached an Office communication concerning this application or proceeding.

501

## Office Action Summary

Application No.

09/256,192

Applicant(s)

YASUDA, MICHYUKI

Examiner

Kevin M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 9-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_. 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. The amendment filed on 6/10/2002 has been entered. The rejections of claims 9-14 are maintained.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 9-14 rejected under 35 U.S.C. 103(a) as being unpatentable over Iwasaki et al (US 5,972,493) in view of Taketa et al (US 6,200,680).
4. As to claim 9, Iwasaki et al reviews a magnetic display system which are well known (col. 1, line 11) and includes honeycomb shape on supporting plate, injects liquid (dispersion medium) having a white pigments (col. 5, lines 1-8) and magnetic powder (black magnetic particle as claimed, col. 4, lines 43-45) therein in the honeycombs and laminates and seals a transparent sheet on it to finish it. The image can be formed by attracting the magnetic powder in the honeycombs to the back surface and to make the surface white. While making contact using a permanent magnetic pen with the surface of the magnetic display, the magnetic powder in the contact part moves to the surface and image appears (col. 1, lines 23-35). Since Iwasaki et al teach other material that have strength enough to protect top layer of the microcapsules 23 may be used (col. 5, lines 59-64), but Iwasaki et al fails to teach an upper-transparent flat-sheet member

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having luster sheet selected from iridescent luster. However, Takeda et al discloses fine particles of mica coated with a titanium oxide thin film (iridescent luster and hologram appearance as claimed, col. 4, lines 13-14 and col. 3, lines 43-46) which coat for touch panel display (col. 3, line 54). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the coated titanium oxide mica  $\text{TiO}_2$  taught by Takeda et al in Iwasaki et al's magnetic display system because this would decorate image with color and protective the surface of the magnetic display device.

5. As to claim 10, Iwasaki et al reviews a magnetic display system which are well known (col. 1, line 11) and includes honeycomb shape on supporting plate, injects liquid (dispersion medium) having a white pigments (col. 5, lines 1-8) and magnetic powder (black magnetic particle as claimed, col. 4, lines 43-45) therein in the honeycombs and laminates and seals a transparent sheet on it to finish it. The image can be formed by attracting the magnetic powder in the honeycombs to the back surface and to make the surface white. While making contact using a permanent magnetic pen with the surface of the magnetic display, the magnetic powder in the contact part moves to the surface and image appears (col. 1, lines 23-35). Iwasaki et al teaches microcapsules 1 enclosing magnetic powder 3 that are dispersed in dispersion medium 5 in a capsule membrane 2 (col. 10, lines 5-7). One skill in the art to recognize that Iwasaki et al teaches to add microcapsules in the magnetic display sheet because this would record words or pictures in a high degree of clarity and with high record speed under a weak magnetic force lower than 1100 gauss (col. 2, lines 18-20). Since Iwasaki et al teaches

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other material that have strength enough to protect the top layer of microcapsules 23 may be used (col. 5, lines 59-64), but Iwasaki et al fails to teach an upper-transparent flat-sheet member having luster sheet selected from iridescent luster. However, Takeda et al discloses additionally fine particles of mica coated with a titanium oxide thin film (iridescent luster and hologram appearance as claimed, col. 4, lines 13-14 and col. 3, lines 43-46) which coat for touch panel display (col. 3, line 54). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the coated titanium oxide mica  $\text{TiO}_2$  taught by Takeda et al in Iwasaki et al's magnetic display system because this would decorate image with color and protective the surface of the magnetic display device.

As to claim 11, Iwasaki et al teaches a microcapsules paint layer 23 forming between a PET film 21 and a layer 24 (figure 4, col. 11, lines 10-14).

As to claim 12-14, since Takeda et al discloses fine particles of mica coated with a titanium oxide thin film (iridescent luster and hologram appearance as claimed, col. 4, lines 13-14 and col. 3, lines 43-46) which coat for touch panel display (col. 3, line 54). One skill in the art to recognize that Takeda et al teaches a upper transparent flat sheet member comprising ... iridescent and hologram appearance because this technique (hologram) was applicably generally to touch panels liquid crystal display device (col. 3, lines 55-59) see surface hologram structure of Mallik (US 4,921,319).

6. Claims 9-14 rejected under 35 U.S.C. 103(a) as being unpatentable over Iwasaki et al (US 5,972,493) in view of Mallik (US 4,921,319).

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7. As to claims 9-14, Iwasaki et al reviews a magnetic display system which are well known (col. 1, line 11) and includes honeycomb shape on supporting plate, injects liquid (dispersion medium) having a white pigments (col. 5, lines 1-8) and magnetic powder (black magnetic particle as claimed, col. 4, lines 43-45) therein in the honeycombs and laminates and seals a transparent sheet on it to finish it. The image can be formed by attracting the magnetic powder in the honeycombs to the back surface and to make the surface white. While making contact using a permanent magnetic pen with the surface of the magnetic display, the magnetic powder in the contact part moves to the surface and image appears (col. 1, lines 23-35). Iwasaki et al teaches microcapsules 1 enclosing magnetic powder 3 that are dispersed in dispersion medium 5 in a capsule membrane 2 (col. 10, lines 5-7). One skill in the art to recognize that Iwasaki et al teaches to add microcapsules in the magnetic display sheet because this would record words or pictures in a high degree of clarity and with high record speed under a weak magnetic force lower than 1100 gauss (col. 2, lines 18-20). Since Iwasaki et al teach other material that have strength enough to protect the top layer of microcapsules 23 may be used (col. 5, lines 59-64), but Iwasaki et al fails to teach an upper-transparent flat-sheet member having luster sheet selected from iridescent luster. However, Mallik discloses additionally hologram 11 coated on the touch surface 21 of the substrate sheet 15 (iridescent luster and hologram appearance as claimed, col. 5, lines 36-44). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize hologram 11 taught by Mallik in Iwasaki et al's magnetic

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display system because this would decorate image with color and protective the surface of the magnetic display device (col. 2, lines 35-40 of Mallik).

***Response to Arguments***

8. Applicant's arguments with respect to claims 9-14 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-6209**. The examiner can normally be reached on MON-FRI from 9:00-5:00 with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

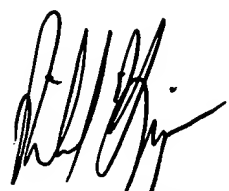
Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kevin M. Nguyen  
Examiner  
Art Unit 2674



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600